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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,924	06/07/2006	Fernando Mazeris	19200-000062/US	1896
	7590 03/30/201 CKEY & PIERCE, P.L	EXAMINER		
P.O. BOX 8910	·	NGUYEN, SON T		
RESTON, VA 20195			ART UNIT	PAPER NUMBER
		3643		
			MAIL DATE	DELIVERY MODE
			03/30/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/581,924	MAZERIS, FERNANDO	
Examiner	Art Unit	

NOTICE OF APPEAL 2. ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ They raise the issue of new matter (see NOTE below); (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: ☐ (See 37 CFR 1.116 and 41.33(a)). 4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. ☐ Applicant's reply has overcome the following rejection(s): ☐ (See applicant is reply has overcome the following rejection(s): ☐ (See applicant is reply has overcome the following rejection(s): ☐ (See applicant is reply has overcome the following rejection(s): ☐ (See applicant is not in the proposed amendment(s): a) ☐ (See applicant is not in the non-allowable claim(s). (See applicant file is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: ☐ (See applicant file is the proposed amendment (See applicant file is the proposed and sufficient reasons why the affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant filed to provide a showing of good and sufficient reasons why the affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date o		Con 1. Ngayon	6040
1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandoment of this application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following gried for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: □ The period for reply expiresmonths from the mailing date of the final rejection. □ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later, in no event, however, will the statutory period for reply expires on: (1) the mailing date of the final rejection. Examiner Note: the that is the statutory period for reply expires on: (1) the mailing date of the final rejection. Examiner Note: the third is the statutory period for reply expires on: (1) the mailing date of the final rejection. Examiner Note: the third is the statutory period for reply expires on the statutory period for reply expired to reply expired to the statutory period for reply expired to the control of the date for purpose of determining the period of the statutory period for reply originally set in the first Office action, (2) as many reduce any examed patent term adjustment. See 37 CFR 1.73(6). NOTICE OF APPEAL 2. □ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 (a)), to avoid dismissal of the appeal. Since a Notice of Appeal was been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS □ The Notice of Appeal was been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS □ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because and the subjecti	The MAILING DATE of this communication appe	ars on the cover sheet with the	correspondence address
application, applicant must timely life one of the following replies: (1) an amendment, afficiavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal eleo) in compliance with 37 CFR 1.134. The reply must be filled within one of the following time periods: a) The period for reply expires	THE REPLY FILED <u>10 March 2011</u> FAILS TO PLACE THIS AP	PLICATION IN CONDITION FOR	ALLOWANCE.
b)	application, applicant must timely file one of the following rapplication in condition for allowance; (2) a Notice of Appe for Continued Examination (RCE) in compliance with 37 C	replies: (1) an amendment, affidavi eal (with appeal fee) in compliance	it, or other evidence, which places the with 37 CFR 41.31; or (3) a Request
no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, cheek either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST RELLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See NPEP 768.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee nave been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee nave been filed in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any areand patent treat adjustment. See 37 CFR 1.704(b). **NOTICE OF APPEAL** 2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal has been filed, any reply mater be filed within the time period set forth in 37 CFR 41.37(a). 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a)	· · · · · · · · · · · · · · · · · · ·	-	
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above. if checked, Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL 2. The Notice of Appeal was filed on	no event, however, will the statutory period for reply expire la Examiner Note: If box 1 is checked, check either box (a) or (ater than SIX MONTHS from the mailin b). ONLY CHECK BOX (b) WHEN THE	g date of the final rejection.
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5. Applicant's reply has overcome the following rejection(s): 6. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE 8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: //Son T. Nguyen/	(d) They present additional claims without canceling a converse NOTE: (See 37 CFR 1.116 and 41.33(a)).		
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